

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SPENCER R. McMULLEN,

Plaintiff,

No. C 08-01523 JSW

v.

DELTA AIR LINES INC. and DOES 1
through 100,

Defendants.

**ORDER SETTING BRIEFING
SCHEDULE ON MOTION TO
DISMISS AND CONTINUING
CASE MANAGEMENT
CONFERENCE**

This matter is set for a hearing on September 26, 2008 at 9:00 a.m. on Defendant's motion to dismiss. The Court HEREBY ORDERS that an opposition to the motion shall be filed by no later than July 22, 2008 and a reply brief shall be filed by no later than July 29, 2008.

If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

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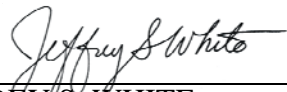
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1 In addition, the case management conference set for July 18, 2008 at 1:30 p.m. is
2 HEREBY VACATED and continued to September 26, 2008 at 9:00 a.m., immediately
3 following the hearing on the motion. The parties shall file a joint case management statement
4 by no later than September 19, 2008.

5 **IT IS SO ORDERED.**

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7 Dated: July 8, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE